

REMARKS

Reconsideration and withdrawal of the rejections of the claims set forth in the Official Action of June 2, 2006, are respectfully requested in view of the following remarks.

Status of the Claims

Claims 1-22 are currently pending.

Claims 1-7 and 11-17 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Schmerken (Ivy Schmerken, “Real Liffe or Virtual Reality.” Wall Street & Technology. New York: Jan. 1997. Vol. 15, Iss. 1, p. 70) in view of Tomasula (Dean Tomasula, “Virtual Trading is Virtually a Reality.” Wall Street & Technology. New York: Oct. 1995. Vol. 13, Iss. 10, p. 44). Claims 8-10 and 18-22 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Schmerken in view of Tomasula as applied to claim 5, and further in view of U.S. Pat. No. 5,675,746 to Marshall.

Rejections under 35 U.S.C. § 103

A. Introduction

Schmerken is directed to a virtual reality system for checking sight lines between the booth and the pits in a trading environment. Tomasula is directed to a “virtual trading floor” in which traders in geographically diverse locations may interact in real-time through video and audio conferencing.

Applicants respectfully traverse the rejections of record.

B. Claims 1-4 and 7

Although the Examiner alleges that independent claim 1 is unpatentable over Schmerken in view of Tomasula (Office Action, pp. 2-4), because the combination of Schmerken and Tomasula does not disclose or suggest all elements of independent claim 1, the Examiner has failed to meet the burden of establishing a *prima facie* case of obviousness of claim 1. In particular, the Examiner admits that “Schmerken does not explicitly disclose . . . [g]enerating a two-dimensional display representing a selected view of a model three dimensional model, said two dimensional display including perspective views of at least some of said surfaces of said models.” (Office Action, p.2). However, the Examiner alleges that “Tomasula discloses a virtual trading method disclosing: . . . [g]enerating a two-dimensional display representing a selected view of a model three dimensional model, said two dimensional display including perspective views of at least some of said surfaces of said models (Page 2, paragraph 10 ‘Flat reality.’).” (Office Action, p. 3).

Nevertheless, Tomasula does not disclose or suggest “generating a two-dimensional display representing a selected aspect view of said *three dimensional model*, said two dimensional display including *perspective views of at least some of said surfaces of said model*” as required by claim 1. Rather, Tomasula discloses a “flat reality, where virtual reality is delivered on a computer screen,” but fails to disclose or suggest whether this flat reality is comprised of a “selected aspect view of said three dimensional model, said two dimensional display including perspective views of at least some of said surfaces of said model” as required by claim 1.

Further, the Examiner admits that “the references do not explicitly disclose the steps of [g]enerating alphanumeric images of selected data representing exchange operations; and [m]apping said alphanumeric images onto selected ones of said perspective view,” but

alleges that it “was notoriously well known in the art at the time of invention for trading floors to utilize alphanumeric images such as stock symbols and pricing information across a ticker board.” (Office Action, p. 3). However, neither Schmerken nor Tomasula discloses or suggests utilizing a ticker board in the three dimensional model of the trading floor. In addition, neither Schmerken nor Tomasula disclose or suggests even selecting data. Thus, it would not have been obvious to one skilled in the art at the time of the invention to map “said *alphanumeric images* onto *selected ones* of said perspective view” as additionally required by claim 1.

Accordingly, Applicants respectfully submit that independent claim 1, and claims 2-4 and 7 that depend from claim 1, and so contain all its limitations, are in condition for allowance.

C. Claims 5, 6, 8-10, and 15-22

Although the Examiner alleges that independent claim 5 is unpatentable over Schmerken in view of Tomasula (Office Action, pp. 6-8), because the combination of Schmerken and Tomasula does not disclose or suggest all elements of independent claim 5, the Examiner has failed to meet the burden of establishing a *prima facie* case of obviousness of claim 5. In particular, the Examiner admits that “Schmerken does not explicitly disclose . . . [r]eceiving and maintaining in a computer memory data representing trading of said securities.” (Office Action, p. 6). However, the Examiner alleges that “Tomasula discloses the steps of: [r]eceiving and maintaining in a computer memory data representing trading of said securities (Page 2, paragraphs 4 ‘Interact with his fellow traders as if they were all on the same floor.’).” (Office Action, p. 7).

However, Tomasula fails to disclose or suggest the element of “receiving and maintaining in a computer memory *data representing trading of said securities*” as required by claim 5. Rather, Tomasula discloses that “[e]ach trader can be located in a different city and still interact with his fellow trader as if they were all on the same floor” through the use of “video and audio conferencing.” There is no mention that the system does anything more than provide an interface by which traders can communicate with one another. Thus, Tomasula does not disclose or suggest “receiving and maintaining in a computer memory data representing trading of said securities” as required by claim 5.

Further, the Examiner admits that “Schmerken does not explicitly disclose [g]enerating a two dimensional display representing a selected aspect view of said three dimensional model. . .” (Office Action, p. 6), but alleges that Tomasula discloses this limitation. (Office Action, p. 7). Nevertheless, as argued above in connection with claim 1, Tomasula does not disclose or suggest the element of “generating a two dimensional display representing a selected aspect view of said *three dimensional model*” as additionally required by claim 5.

Accordingly, Applicants respectfully submit that independent claim 5, and claims 6 and 8-10 that depend from claim 5, and so contain all its limitations, are in condition for allowance.

Further, independent claim 15 contains similar limitations to claim 5, and thus, for the reasons asserted above, is also patentable over the combination of Schmerken and Tomasula, which the Examiner has cited against claim 15. Thus, Applicants respectfully submit that independent claim 15, and claims 16-22 that depend from claim 15, and so contain all its limitations, are also in condition for allowance.

D. Claims 11-14

The Examiner alleges, in connection with claims 11-17, that “[f]urther system claims would have been obvious in order to perform the previously rejected method claims 1-7, respectively, and are therefore rejected using the same art [(Schmerken and Tomasula)] and rationale.” (Office Action, p. 10). Nevertheless, referring to independent claim 11, because neither Schmerken nor Tomasula discloses or suggests any data formatting whatsoever, neither Schmerken nor Tomasula discloses, suggests, or renders obvious, the element of “a computer system, configured and programmed to . . . format and normalize said data to provide formatted data of a predetermined format; store and update said formatted data in at least one memory area” as required by independent claim 11.

Further, as argued above in connection with claim 1, Tomasula does not disclose or suggest that the computer system “generate[s] a two dimensional display image of a three dimensional model from a selected aspect view, said display image having perspective views of at least some of said surfaces of said model” or “generate[s] alphanumeric images of selected data” as additionally required by claim 11.

Finally, neither Schmerken nor Tomasula discloses, suggests, or renders obvious the element of “a control station for use by an operator to provide input commands to said computer system, including commands for selecting said aspect view” as additionally required by claim 11.

For at least these reasons, Applicants respectfully submit that independent claim 11, and claims 12-14 that depend from claim 11, and so contain all its limitations, are in condition for allowance.

CONCLUSION

Based on the foregoing, Applicants respectfully submit that the present application is in condition for allowance. A Notice of Allowance is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Gary M. Butter', is written over a horizontal line.

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